

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA

PLAINTIFF

v.

Case No. 09-CR-043 SPF

**LINDSEY KENT SPRINGER,
OSCAR AMOS STILLEY**

DEFENDANT

**MOTION TO STRIKE ALL ORDERS BY STEPHEN P. FRIOT, STRIKING
ALL ORDERS OR OFFICIAL ACTIONS BY DISTRICT JUDGE CLAIRE V.
EAGAN, ALTERNATIVELY FOR STRIKING SOME BUT LESS THAN ALL,
ALTERNATIVELY FOR MODIFYING CERTAIN ORDERS**

Comes now **OSCAR AMOS STILLEY**¹ by limited special appearance, and not a general appearance, and for his motion states:

1. Oscar Stilley moves that a duly seated United States district judge of a court position created by Congress, or a special judge appointed in strict compliance with all laws enacted upon the subject, by Congress, enter an order striking all orders entered by or at the direction of Stephen P. Friot.
2. Oscar Stilley moves that a duly seated United States district judge of a court position created by Congress, or a special judge appointed in strict compliance with all laws enacted upon the subject, by Congress, enter an order striking all orders entered by or at the direction of Claire V. Eagan.

¹ It is presumed that the plaintiff is master of his own complaint. This complaint is styled in the name of “**UNITED STATES OF AMERICA**” as opposed to the people thereof, or any grand jury. Plaintiff, whoever that may actually be, named **OSCAR AMOS STILLEY** as a Defendant. Therefore, **OSCAR AMOS STILLEY** has appeared specially and limited, challenging jurisdiction, to defend against the charges to the extent required so to do by the law.

3. This motion is supplemental and cumulative to other motions filed contemporaneously herewith, including but not limited to the motion to modify conditions of release.
4. Claire V. Eagan either was or was not disqualified to serve as judge on this case. If she was not disqualified, she had a duty to serve, (if randomly selected) according to Stephen P. Friot at page 23 of docket 293, citing to *United States v. Bray*, 546 F.2d 851, 857 (10th Cir. 1976). If she was disqualified she was forbidden to hand pick a judge for the case.
5. The district judge at issue is the person who must in the first instance decide the question of recusal.
6. The record in this case shows no evidence of any recusal except the recusal of Judge Payne on 3-18-09, docket entry 9.
7. There was no formal recusal of any other judge occupying any judicial office in the Northern District of Oklahoma.
8. The limitations of the scheduling order at docket # 290 are purportedly entered pursuant to N.D. LCR 1.1(E). However, this rule allows a judge to "...waive any requirement of these Rules..." A new deadline is not a waiver of any rules but rather the diminution of legal rights. This limitation contravenes other rules.
9. The claims herein are additive to all other claims made contemporaneously herewith.

WHEREFORE, Defendant Oscar Stilley respectfully requests that a duly seated United States district judge of a court position created by Congress, or a special

judge appointed in strict compliance with all laws enacted upon the subject, by Congress, enter an order striking all orders made by or at the direction of Stephen P. Friot; striking all orders or official actions by district judge Claire V. Eagan; and such other relief as may be appropriate whether or not specifically prayed.

Respectfully submitted,

By: /s/ Oscar Stilley
Oscar Stilley, Attorney at Law
7103 Race Track Loop
Fort Smith, AR 72916
(479) 996-4109
(866) 673-0176 Fax
oscar@oscarstilley.com

CERTIFICATE OF SERVICE

I, Oscar Stilley, by my signature above certify that I have this February 1, 2010, caused the Plaintiff to be served with a copy of this pleading by CM/ECF to: Kenneth P. Snoke, United States Attorney's Office, 110 W 7th Street, Suite 300, Tulsa , OK 74119-1013, ken.snoke@usdoj.gov; Charles A O'Reilly, US Dept of Justice, PO Box 972, Washington , DC 20044, email charles.a.o'reilly@usdoj.gov , and Lindsey K. Springer at Gnutella@mindspring.com .